PROCEEDINGS OF THE COMMON COUNCIL
IN Regular SESSION
Tuesday, June 27, 19 72

CITY OF FORT WAYNE, INDIANA
Journal of the Proceedings
of the Common Council

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening June 27, A.D., 19 72 in Regular Session. President John Nuckols in the chair, and Charles W. Westerma n Clerk, at the desk, present the follwoing members Nine viz:

Burns ✓, Hinga ✓, Kraus ✓, Nuckols ✓

Moses ✓, Donald Schmidt ✓ Vivian Schmidt ✓ Stier ✓

Talarico ✓ Absent , Councilman

The invocation was given by Reverend Ja mes Stalder, Holy Cross Lutheran Church

Received report from the City Controller for the month of 19 . Motion made and carried that report be made a matter of record and placed on file.

The minutes of the last regular June 13, 19 72 Session having been delivered to the Council, were, on motion, approved as published.

THE CITY OF FORT WAYNE
office of the mayor

COMMUNICATION FROM THE MAYOR

June 15, 1972
To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, June 15, 1972, I have approved the following ordinances passed by the Common Council at its regular meeting on June 13, 1972.

(Bill No. S-72-05-11)
SPECIAL ORDINANCE NO. S-39-72

AN ORDINANCE approving a certain bid document with INTERNATIONAL HARVESTER COMPANY for two (2) trucks for slurry machines.

(Bill No. S-72-05-16)
SPECIAL ORDINANCE NO. S-40-72

AN ORDINANCE approving a certain bid document with DELAGRANGE FORD SALES, INC. for Mobile Aerial Tower, Cab & Chassis.

(Bill No. S-72-05-18)
SPECIAL ORDINANCE NO. S-41-72

AN ORDINANCE approving a certain bid document with DEEDS EQUIPMENT COMPANY, INC. for two (2) slurry machines.

(Bill No. R-72-06-01)
RESOLUTION NO. R-28-72

A RESOLUTION authorizing payment of claims due to a fire at 1717 South Lafayette.

(Bill No. S-72-04-21)
SPECIAL ORDINANCE NO. S-42-72

AN ORDINANCE approving a contract with HITZFIELD EXCAVATING, INC. for Sanitary Sewer Improvement in area of Thompson - Dinnen - Huestis Avenues.

(Bill No. S-72-04-22)
SPECIAL ORDINANCE NO. S-43-72

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for Sanitary Sewer Improvement in area of Wildwood and Dinnen Avenues.

(Bill No. S-72-05-08)
SPECIAL ORDINANCE NO. S-44-72

AN ORDINANCE approving Change Order No. 8 with Earth Construction and Engineering, Inc. in connection with work performed on Inner-City Storm Relief Project Sewer Resolution No. 249.

(Bill No. S-72-05-24)
SPECIAL ORDINANCE NO. S-45-72

AN ORDINANCE approving a contract with SCHEELE CONSTRUCTION COMPANY, INC. for Storm Sewer Improvement Resolution No. 260-1971.

(Bill No. S-72-05-25)
SPECIAL ORDINANCE NO. S-46-72

AN ORDINANCE approving a contract with A. GROSJEAN & SON to improve the alley between Glenwood and Vance Avenues from Carew to Rolston Streets.

(Bill No. S-72-05-01)
SPECIAL ORDINANCE NO. S-47-72

AN ORDINANCE approving a contract with Westinghouse Electric Corporation for one Oil Circuit Breaker and one Pneumatic Tank Lifter for Lakeside Substation site south-east of Lakeside Junior High School.

(Bill No. S-72-05-10)
APPROPRIATION ORDINANCE NO. A-03-72

AN ORDINANCE appropriating funds from the General Fund of the 1972 Budget to Account No. 9-3-333 in the 1972 Budget of the Board of Public Health.

(Bill No. Z-72-04-26)
ZONING MAP ORDINANCE NO. Z-09-72

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. G - 5.

(Bill No. Z-72-04-27)
ZONING MAP ORDINANCE NO. Z-10-72

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. DD - 2.

(Bill No. G-72-05-33)
GENERAL ORDINANCE NO. G-09-72

AN ORDINANCE amending Chapter 11, Section 3 of the Municipal Code of the City of Fort Wayne (Fire Prevention Code).

(Bill No. G-72-05-30)
GENERAL ORDINANCE NO. G-08-72

AN ORDINANCE amending Sections 3 through 5, each inclusive, of Chapter 35 of the Fort Wayne Municipal Code, pertaining to the control of weeds, noxious plants, and rank vegetation and transferring certain duties in connection therewith from the Police Department and Board of Public Works to the Board of Health and the Department of Public Parks.

Respectfully submitted,

Ivan A. Lebamoff
Mayor

MADE A MATTER OF RECORD
DATE 6/27/72 CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE
office of the mayor

COMMUNICATION FROM THE MAYOR

June 16, 1972
To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, June 16, 1972, I have approved the following ordinance passed by the Common Council at its SPECIAL MEETING on June 15, 1972.

(Bill No. G-72-06-08)
GENERAL ORDINANCE NO. G-10-72

AN ORDINANCE amending the Municipal Code of the City of Fort Wayne, Indiana, 1946, (1959 Edition) by amending Chapter 36-A which adopts the General Plan for the City of Fort Wayne as part of the Master Plan for said city.

Respectfully submitted,

Ivan A. Lebamoff
Mayor

MADE A MATTER OF RECORD
DATE 6/27/72 CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE

fire department
one main street

Fort Wayne Park Board
Attention Ralph Hudnack
8th Floor, City-County Bldg.
Number One Main Street
Fort Wayne, Indiana
June 23, 1972

Subject: Open burning permits

Dear Sirs,

As of this date, all open burning permits have been revoked by the Fort Wayne Fire Prevention Bureau. New permits must be applied for at Mr. Geller's office at the Fort Wayne Board of Health on the fifth floor of the City-County Building. Permits are issued only by the Indiana Air Pollution Control Board through Mr. Geller's office.

Enclosed is a copy of the law from the Indiana Air Pollution Control Board.

With regards,

William H. Breeden

William H. Breeden

Fire Prevention Chief

cc Walter Roemke, Chief, Fort Wayne Fire Department
Thomas Casaburo, Director of Public Safety
Mr. John Nuckols, President, Fort Wayne City Council
Mayor Ivan Lebamoff
Mr. Geller, Board of Health

Letters also sent to: Superior Iron & Metal 1610 N. Calhoun
Ft. Wayne Auto Parts 3600 Maumee
Levin's Dump Old Maumee Road
Levin & Sons 3101 Maxine
Martin Incorporated 3101 New Haven Ave.
M&M Landfill Co. Inc. Mayer Rd.
Wayne Pelz Brooklyn ave. Norfolk & Western

MADE A MATTER OF RECORD
DATE 6/27/72 CHARLES W. WESTERMAN, CITY CLERK

c. Size, type and performance characteristics of air-cleaning devices.

d. The location and elevation of the emission point and other factors relating to dispersion and diffusion of the air contaminant in the outer air, and the relation of the emission to nearby structures, window openings, and other information necessary to appraise the possible effects of the effluent.

e. When necessary to ascertain compliance, the location of planned sampling points and the tests to be made of the completed installation by the owner.

f. Any other reasonable and pertinent information that may be required by the Board.

Any information relating to secret processes, methods of manufacture, or production submitted in connection with reports, plans and specifications or testing shall be protected communications and shall not be released or made public without the express permission of the person supplying the information.

The Board, at its discretion, may accept in lieu of detailed plans and specifications a certificate that the proposed air pollution control device will operate in accordance with the emission limitations of the Rules and Regulations.

REGULATION APC 2

Open Burning

No person shall conduct a salvage operation by open burning except on written approval of the Board. The Board must seek advice and guidance of local authorities before issuing such approval.

No person shall burn any refuse in any open fire except as follows:

a. Camp fires and fires used solely for recreation purposes where such fires are properly controlled by a responsible person.

b. Backyard incineration.

c. Burning of rubbish on a farm, derived from an agricultural operation, when the prevailing winds, at the time of burning, are away from populated areas and no nuisance is created.

d. Open burning, in remote areas, of highly explosive or other dangerous materials for which there is no other known method of disposal or for special purposes when approved by the Board.

The exceptions apply in all areas where they are not prohibited by local ordinances or by other officials having jurisdiction such as local fire officials.

City of Fort Wayne

BOARD OF PUBLIC SAFETY

June 23, 1972

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 46-72/E & 47-72/E.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

Thomas J. Casaburo
Director of Public Safety

MADE A MATTER OF RECORD
DATE 6/27/72 CHARLES W. WESTERMAN, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 46-72/E) & 47-72/E

I hereby certify that I did this 23rd day of June, 19 72 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 47-72/E & 47-72/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

J. Lawrence Riley

EXECUTIVE SECRETARY

REGULATORY RESOLUTION NO. 46-72E

(Adopted June 23, 1972)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No.G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to no parking

; and,

WHEREAS, the City Traffic Engineer has, by written memorandun dated June 7, 1972, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special conditions, it is hereby ordered, effective June 23, 1972, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. NO PARKING

1. Kinnaird Ave. - south side - from Fairfield Ave to 265 feet west thereof.

REGULATORY RESOLUTION NO. 47-72/E

(Adopted June 23, 1972)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to Renew & Extend Resolutions 27-72/E, 30-72/E and 31-72/E; and,

WHEREAS, the City Traffic Engineer has, by written memorandun dated June 16, 1972, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

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A. Renew and Extend Regulatory Resolution 27-72/E
90 MINUTE PARKING 8:00AM - 6:00PM

1. Pemberton Drive - both sides - from Nevada Ave. to Delare Ave.

B. Renew and Extant Regulatory Resolution 30-72/E
DELETE: ONE WAY STREET

1. Darrow Ave. - westbound - from Clinton St. to Calhoun St.

C. Renew & Extend Regulatory Resolution 31-72/E
STOP INTERSECTION

1. Elzey St. - stop - for McArthur Dr.

The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 27th dya of June, 19 72; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 27th day of June, 19 72.

Charles W. Westerman
City Clerk

SEAL

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, JUNE 27, 1972

CITY OF FORT WAYNE, INDIANA
Journal of the Proceedings
of the Common Council

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening June 27, A.D., 1972, in Regular Session. President John Nuckols in the chair, and Charles W. Westerman Clerk, at the desk, present the following members Nine viz:

Burns, Hinga, Kraus, Nuckols, Moses, Donald Schmidt, Vivian Schmidt, Stier, Talarico

The invocation was given by Reverend James Stalder, Holy Cross Lutheran Church.

The minutes of the last regular June 13, 1972, Session having been delivered to the Council, were, on motion, approved as published.

COMMUNICATION FROM THE MAYOR

June 15, 1972
To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

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AN ORDINANCE approving a certain bid document with DEEDS EQUIPMENT COMPANY, INC. for two (2) slurry machines.

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A RESOLUTION authorizing payment of claims due to a fire at 1717 South Lafayette.

(Bill No. S-72-04-21)
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AN ORDINANCE approving Change Order No. 8 with Earth Construction and Engineering, Inc. connection with work performed on Inner-City Storm Relief Project Sewer Resolution No. 249.

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AN ORDINANCE approving a contract with SCHEELE CONSTRUCTION COMPANY, INC. for Storm Sewer Improvement Resolution No. 260-1971.

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AN ORDINANCE appropriating funds from the General Fund of the 1972 Budget to Account No. 9-3-33 in the 1972 Budget of the Board of Public Health

(Bill No. Z-72-04-26)
ZONING MAP ORDINANCE NO. Z-09-72

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. G - 5.

(Bill No. Z-72-04-27)
ZONING MAP ORDINANCE NO. Z-10-72

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AN ORDINANCE amending Chapter 11, Section 3 of the Municipal Code of the City of Fort Wayne (Fire Prevention Code).

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AN ORDINANCE amending Sections 3 through 5, each inclusive, of Chapter 35 of the Fort Wayne Municipal Code, pertaining to the control of weeds, noxious plants, and rank vegetation and transferring certain duties in connection therewith from the Police Department and Board of Public Works to the Board of Health and the Department of Public Parks.

Respectfully submitted,

Ivan A. Lebamoff
Mayor

Made a matter of record 6-27-72

Charles W. Westerman
City Clerk

June 16, 1972
To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, June 16, 1972, I have approved the following ordinance passed by the Common Council at its SPECIAL MEETING on June 15, 1972.

(Bill No. G-72-06-08)
GENERAL ORDINANCE NO. G-10-72

AN ORDINANCE amending the Municipal Code of the City of Fort Wayne, Indiana, 1946, (1959 Edition) by amending Chapter 36-A which adopts the General Plan for the City of Fort Wayne as part of the Master Plan for said city.

Respectfully submitted,

Ivan A. Lebamoff
Mayor

Made a matter of record 6-27-72

Charles W. Westerman
City Clerk

COMMUNICATION FROM THE BOARD OF PUBLIC SAFETY

June 23, 1972

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 46-72/E & 47-72/E.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

Thomas J. Casaburo
Director of Public Safety

Made a matter of record 6-27-72

Charles W. Westerman
City Clerk

RETURN CERTIFICATE
(Regulatory Resolution No. 46-72/E & 47-72/E)

I hereby certify that I did this 23rd day of June, 1972, deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 46-72/E & 47-72/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G - 55, adopted FEB. 14, 1961.

J. Lawrence Riley
Executive Secretary

REGULATORY RESOLUTION NO. 46-72/E
(Adopted June 23, 1972)

WHEREAS, Section 20 (a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G - 55 adopted FEB. 14, 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to no parking; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 7, 1972, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31, of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. G - 55, adopted FEB. 14, 1961, to make experimental regulations to cover special conditions, it is hereby ordered, effective June 23, 1972, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. NO PARKING

1. Kinnaird Ave. - south side - from Fairfield Ave. to 265 feet west thereof.

REGULATORY RESOLUTION NO. 47-72/E
(Adopted June 23, 1972)

WHEREAS, Section 20 (a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G -55 adopted FEB. 14, 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to Renew & Extend Resolutions 27-72/E, 30-72/E and 31-72/E; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated June 16, 1972, submitted to this Board his advicewith regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No. G - 55, adopted FEB. 14, 1961, to make experimental regulations to cover special conditions, it is hereby ordered, effective June 23, 1972, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. Renew and Extend Regulatory Resolution 27-72/E
90 MINUTE PARKING 8:00A.M. - 6:00P.M.

1. Pemberton Drive - both sides - from Nevada Ave. to Delare Ave.

B. Renew and Extend Regulatory Resolution 30-72/E
DELETE: ONE WAY STREET

1. Darrow Ave. - westbound - from Clinton St. to Calhoun St.

C. Renew & Extend Regulatory Resolution 31-72/E
STOP INTERSECTION

1. Elzey St. - stop - for Mc Arthur Dr.

COMMUNICATION FROM THE FIRE DEPARTMENT

The City of Fort Wayne
Fire Department
One Main Street

Fort Wayne Park Board
Attention Ralph Mudrack
8th Floor, City-County Bldg.
Number One Main Street
Fort Wayne, Indiana
June 23, 1972

Subject: Open burning permits

Dear Sirs,

As of this date, all open buring permits have been revoked by the Fort Wayne Fire Prevention Bureau. New permits must be applied for at Mr. Geller's office at the Fort Wayne Board of Health on the fifth floor of the City-County Building. Permits are issued only by the Indiana Air Pollution Control Board through Mr. Geller's office.

Enclosed is a copy of the law from the Indiana Air Pollution Control Board.

With regards,

William H. Breeden
Fire Prevention Chief

cc Walter Roemke, Chief, Fort Wayne FireDepartment
Thomas Casaburo, Director of Public Safety
Mr. John Nuckols, President, Fort Wayne City Council
Mayor Ivan Lebamoff
Mr. Geller, Board of Health

Letters also sent to:	Superior Iron & Metal	1610 N. Calhoun
	Ft. Wayne Auto Parts	3600 Maumee
	Levin's Dump	Old Maumee Raod
	Levin & Sons	3101 Maxine
	Martin Incorporated	3101 New Haven Ave.
	M & M Landfill Co., Inc.	Meyer Rd.
	WaynePelz	Brooklyn Ave. @ Norfolk & Western

Made a matter of record 6-27-72

Charles W. Westerman
City Clerk

REGULATION APC 2
Open Burning

No person shall conduct a salvage operation by open burning except on written approval of the Board. The Board must seek advice and guidance of local authorities beforeissuing such approval.

No person shall burn any refuse in any open fire except as follows:

a. Camp fires and fires used soley for recreation purposes where such fires are properly controlled by a responsible person.

b. Backyard incineration.

c. Burning of rubbish on a farm, derived from an agricultural operation, when the prevailing winds, at the time of burning, are away from populated areas and no nuisance is created.

d. Open burning, in remote areas, of highly explosive or other dangerous materials for which there is no other known method of disposal or for special purposes when approved by the Board.

The exceptions apply in all areas where they are not prohibited by local ordinances or by other officals having jurisdiction such as local fire officials.

BILL NO. A-72-06-18

APPROPRIATION ORDINANCE NO. A-_____

AN ORDINANCE appropriating funds from the unexpended and unappropriated balance of the General Fund of the 1972 Budget of the City of Fort Wayne.

WHEREAS, there are insufficient funds to provide sufficient spare parts for proper maintenance of Fire Department equipment, to provide proper tools for the Fire Department Garage; and

WHEREAS, there are insufficient funds to provide to re-purchase Pumpers so the Fire Department will have spare pumpers; and

WHEREAS, there are insufficient funds to replace equipment lost in recent fires and to purchase additional equipment; and

WHEREAS, there are sufficient funds in the unexpended and unappropriated balance of The General Fund of the 1972 Budget of the City of Fort Wayne.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That there is hereby appropriated out of the unexpended and unappropriated balance of The General Fund the sum of $5,750.00 to the following Accounts:

Account No. 8-4-43h	- Repair Parts	$4,000.00
Account No. 8-3-323h	- Tires and Tubes	1,000.00
Account No. 8-3-324h	- Garage and Motor	750.00

SECTION 2. That there is hereby appropriated out of the unexpended and unappropriated balance of The General Fund the sum of $4,950.00 to Account No. 8-7-726h.

SECTION 3. There is hereby appropriated out of the unexpended and unappropriated balance of The General Fund the sum of $4,490.65 to Account No. 8-7-726h (Other Equipment).

SECTION 4. That unexpendedand unappropriated balance of The Fund of the 1972 Budget of The City of Fort Wayne is hereby reduced in the amount of $15,190.65.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

William T. Hinga
Councilman

Read the first time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, read the second time by title and referred to the Committee on Finance and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on Tuesday, the 11th day of July, 1972, at 7:30 o'clock P.M.,E.S.T.

Date: 6-29-72

Charles W. Westerman
City Clerk

BILL NO. A-72-06-24

APPROPRIATION ORDINANCE NO. A-_____

AN ORDINANCE appropriating funds from The General Fund of the 1972 Budget to Account No. 8-2-26la Board of Safety's Building Condemnation.

WHEREAS, additional funds are needed to pay for the increased demolition of condemned properties; and

WHEREAS, there are sufficient funds in the unappropriated balance of The General Fund of the 1972 Budget of the City of Fort Wayne.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That there is herebyappropriated out of the unappropriated balance of The General Fund the sum of $50,000.00 to Account No.8-2-26la.

SECTION 2. That the unappropriated balance of The General Fund of 1972 Budget of the City of Fort Wayne is hereby reduced in the amount of $50,000.00.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

William T. Hinga
Councilman

Read the first time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, read the second time by title and referred to the Committee on Finance and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne,Indiana, on Tuesday the 11th day of July, 1972, at 7:30 o'clock P.M.,E.S.T.

Date: 6-27-72

Charles W. Westerman
City Clerk

BILL NO. S-72-06-20

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving memorandum of understanding between DANNIE'S MOBILE HOMES, INC. and the CITY OF FORT WAYNE for sanitary sewage disposal and treatment facilities in Valley Hills Estates.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Memorandum of Understanding approved June 1, 1972, between DANNIE'S MOBILE HOMES, INC., as developer; and the CITY OF FORT WAYNE, INDIANA, by and through its Mayor and the Board of Public Works, as City, for sanitary sewage disposal and treatment facilities in Valley Hills Estates, the total cost of said facilities to be borne by Developer, all as more particularly set forth in said Memorandum of Understanding, which is on file in the office of the Board of Public Works,and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. The Developer, for itself, its successors in titles and assigns, waives and releases any and all rights which it may now or hereafter have to remostrate against, or otherwise object to, interfere with, or oppose any pending or future annexation by City of any territory now or hereafter owned by it, or hereafter served by said facility.

Any owner or owners of land which is now, or herafter, located outside the corporate limits of City who connect into the sewage facilities hereunder shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by City of such land or of the territory in which it is located or of the area served by said facilities.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul "Mike" Burns
Councilman

Read the first time in full and on motion by Burns seconded by Hinga and duly adopted, read the second time by title and referred to the Committee on City Utilities.

Date: 6-27-72

Charles W. Westerman
City Clerk

BILL NO. G-72-06-22

GENERAL ORDINANCE NO. G-_____

AN ORDINANCE pertaining to obscene matter.

WHEREAS, freedom of speech is one of the fundamental constitutional freedoms; and

WHEREAS, the preservation and exercise of such freedom are essential to the maintenance of a democratic society; and

WHEREAS, purveyors of obscene matter have sought to exploit the right to freedom of speech by using said right as a screen for the dissemination within the city limits of the City of Fort Wayne, Indiana, of matter which adds nothing to the store of human knowledge or ideas but which is intended to, and does, appeal to the basest desires of those to whom it is exhibited; and

WHEREAS, the dissemination of such matter is not prohibited by the Constitution of either the Unided State or the State of Indiana; and

WHEREAS, the dissemination of such matter is an activity against which a society may protect itself just as it may protect itself against other dangerous and loathsome activities;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Definitions.

As used in this Ordinance:

(a) "Obscene" means that to the average person, applying contemporary standards, the predominant appeal of the matter, taken as a whole, is to prurient interest, i.e., a shameful or morbid interest in nudity, sex, or excretion, which goes substantially beyond customary limits of candor in description or representation of

such matters and is matter which is utterly without redeeming social importance.

(b) "Matter" means any book, magazine, newspaper, or other printed or written material or any picture, drawing, photograph, motion picture, or other pictorial representation or any statue or other figure, or any recording, transcription or mechanical, chemical or electrical reproduction or any other articles, equipment, machines or materials.

(c) "Person" means any individual, partnership, firm, association, corporation, or other legal entity.

(d) "Distribute" means to transfer possession of, whether with or without consideration.

(e) "Knowingly" means having knowledgethat the matter is obscene.

SECTION 2. Every person within the city limits of the City of Fort Wayne, Indiana, who knowingly prepares, publishes, prints, exhibits, distributes, or offers to distribute, or has in his possession with intent to distribute or to exhibit or offer to distribute, any obscene matter, is guilty of a misdemeanor.

SECTION 3. The penalty upon conviction of such misdemeanor shall be a fine not in excess of $500.00 and/or confinement in the county jail for a period not to exceed six months.

SECTION 4. If any section, clause, sentence, paragraph, part or provision of this Ordinance shall be held invalid by any court, it shall be conclusively presumed that this Ordinance would have been passed by the Common Council without such invalid section, clause, sentence, paragraph, part or provision.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Samuel J. Talarico
Councilman

Read the first time in full and on motion by Talarico seconded by Hinga and duly adopted, read the second time by title and referred to the Committee on Public Relations.

Date: 6-27-72

Charles W. Westerman
City Clerk

BILL NO. G-72-06-23

GENERAL ORDINANCE NO. G-_____

AN ORDINANCE repealing Chapter 19, Section 14.1 of the Municipal Code of the City of Fort Wayne and

declaring public nuisances applicable to certain acts places and prescribing penalties therefor and abatement thereof.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The following are hereby declared public nuisances:

Any place, room, restaurant, tavern, store, club, theater or other premises, indoor or outdoor, including, by way of illustration and not of limitation, any mobile home, any motor vehicle, any field, regardless of whetheror not the primary purpose of such establishment authorized and or licensed by any federal, state or local authority, which

a) Is open to members of the public at large, regardless of whether admission is charged and regardless of whether admission is restricted to adults or to members of one sex or another;

b) Is open to members of one or more groups, incorporated or unincorporated;

and in which any of the following occurs,

c) Conduct which violates the statutes of the State of Indiana pertaining to the sale and consumption of alcoholic beverages;

d) Acts of prostitution;

e) Acts of bestiality;

f) Acts of sodomy;

g) Gambling;

h) The sale of and/or indulgence and drug misuse of drugs, narcotic drugs, dangerous drugs and harmful substances as those terms are defined in violation of the Indisna Drug Act and other statutes of the State of Indiana and amendments thereto;

SECTION 2. Anyone who owns, leases, manages and/or controls premises which are found to be a public nuisance under the provisions of Section 1 hereinabove shall be guilty of a misdemeanor and shall be subject to imprisonment for a term not to exceed six months, and to payment of a fine not to exceed $500.00 and to payment of costs. Anyone frequenting or patronizing such premises shall be guilty of a misdemeanor and shall be subject to imprisonment for a term not to exceed three months, to payment of a fine not to exceed $250.00 and to payment of costs.

SECTION 3. It shall constitute a public nuisance under the provisions of Section 1 and Section 2 hereinabove, and upon finding, judgment and conviction by a court of competent jurisdiction that there is a violation of any of the provisions of said Sections hereinabove, it shall be the duty of the police department or any member thereof, or any peace officer under direction and warrant

from said court to cause such public nuisance to be abated and to assess the expense incident to such abatement either by causing them to be placed on a tax duplicate or by suit for foreclosure of a lien which is specifically given to the City of Fort Wayne by filing a notice thereof in the Office of Recorder of Allen County, Indiana.

SECTION 5. If any section, clause, sentence, paragraph, part or provision of this Ordinance shall be held invalid by any court, it shall be conclusively presumed that this Ordinance would have been passed by the Common Council without such invalid section, clause, sentence, paragraph, part or provision.

SECTION 6. Chapter 19, Section 14.1 of the Municipal Code of the City of Fort Wayne, Indiana is hereby repealed.

SECTION 7. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Samuel J. Talarico
Councilman

Read the first time in full and on motion by Talarico seconded by Burns and duly adopted, read the second time by title and referred to the Committee on Public Relations.

Date: 6-27-72

Charles W. Westerman
City Clerk

BILL NO. G-72-06-25

GENERAL ORDINANCE NO. G- _____

AN ORDINANCE pertaining to obscene matter.

WHEREAS, freedom of speech is one of the fundamental constitutional freedoms; and

WHEREAS, the preservation and exercise of such freedom are essential to the maintenance of a democratic society; and

WHEREAS, purveyors of obscene matter have sought to exploit the right to freedom of speech by using said right as a screen for the dissemination within the city limits of the City of Fort Wayne, Indiana of matter which adds nothing to the store of human knowledge or ideas but which is intended to, and does, appeal to the basest desires of those to whom it is exhibited; and

WHEREAS, the dissemination of such matter is not prohibited by the Constitution of either the United States or the State of Indiana; and

WHEREAS, the dissemination of such matter is an activity against which a society may protect itself against other dangerous and loathsome activities;

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Definitions.

As used in the Ordinance:

(a) "Obscene" means that to the average person, applying contemporary standards, the predominat appeal of the matter, taken as a whole, is to prurient interest, i.e., a shameful or morbid interest in mudity, sex, or excretion, which goes substantially beyond customary limits of candor in description or representation of such matters and is matter which is utterly without redeeming social importance.

(b) "Matter" means any book, magazine, newspaper, or other printed or written material or any picture, drawing, photograph, motion picture, or otherpictorial representation or any statue or other figure, or any recording, transcription or mechanical, chemical or electrical reproduction or any other articles, equipment, machines or materials.

(c) "Person" means any individual, partnership, firm, association, corporation, or other legal entity.

(d) "Distribute" means to transfer possession of, whether with or without consideration.

(e) "Knowingly" means having knowledge that the matter is obscene.

SECTION 2. Every person within the city limits of the City of Fort Wayne, Indiana, who knowingly prepares, publishes, prints, exhibits, distributes, or offers to distribute, or has in his possession with intent to distribute or to exhibit or offer to distribute, any obscene matter, is guilty of a misdemeanor.

SECTION 3. The penalty upon conviction of such misdemeanorshall be a fine not in excess of $500.00 and/or confinement in the county jail for a period not to exceed six months.

SECTION 4. Upon a specific finding by a court ofcompetent jurisdiction that any person is conducting his or its business in violation of Section 2 of this Chapter, said Court shall refer the matter to the City Attorney, who shall, without further direction from the Court, take whatever action against such person as he shall see fit, including, but not limited to, the filing of appropriate proceedings for the abatement of the same which is hereby declared to be a nuisance and the forfeiture of contraband used in or arising out of such illegal business.

SECTION 5. If any section, clause, sentence, paragraph, part or provision of this Ordinance shall be held invalid by any court,it shall be conclusively presumed that this Ordinance would have been passed by the Common Council without such invalid section, clause, sentence, paragraph, part or provision.

SECTION 6. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Samuel J. Talarico
Councilman

Read the first time in full and on motion by Talarico seconded by Hinga and duly adopted, read the second time by title and referred to the Committee on Public Relations.

Date: 6-27-72

Charles W. Westerman
City Clerk

BILL NO. R-72-06-21

RESOLUTION NO. R-_____

RESOLUTION OF COMMITMENT TO A 4-C (COMMUNITY COORDINATED CHILD CARE) PROGRAM FOR THE CITY OF FORT WAYNE, INDIANA.

WHEREAS, in our community, there are mothers, who are working for economic reasons, and lack the resource to pay for adequate care and are frequently forced to leave the care and protection of their children to chance and,

WHEREAS, there are mothers receiving Aid to Dependent Children who desire to work and who are unable to do so because there is no way to care for their children, and,

WHEREAS, that when no service for child care exists, some families make poor or dangerous arrangements, and

WHEREAS, the (Community Coordinated Child Care) Program is a system to coordinate the various child care programs and lead to more effective planning, continuity of service to child and family, more efficient use of local sources, better utilization of Federal, State and local funds in reduced administration costs, and,

WHEREAS, a steering committeee has been formed to submit a proposal to the 4-C State Committee and the 4-C Federal Regional Committee and,

WHEREAS, the coordinated efforts of all agencies both public and private are required to achieve acceptance as a recognized 4-C community.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Fort Wayne, Indiana that it does hereby endorse and support the development of a 4-C Program, and commit itself to the full achievement of this program.

Eugene Kraus, Jr.
Councilman

Read the first time in full an on motion by Kraus seconded by V. Schmidt and duly adopted, read the second time by title and referred to the Committee on Regulation.

Date: 6-27-72

Charles W. Westerman
City Clerk

BILL NO. S-72-06-02

SPECIAL ORDINANCE NO. S-48-72

AN ORDINANCE authorizing the execution of a deed to Mid-West Towel and Linen Service, Inc. for certain real estate owned by the City of Fort Wayne, Indiana.

WHEREAS, the City of Fort Wayne, Indiana, is the owner of certain real estate in Allen County, Indiana, described as follows;

A tract of land commencing at the Southwest corner of Lot Number 11 in Charles Sherer's Riverside Addition to the City of Fort Wayne; thence East along the South line of Lot Number 11, Lot Number 12 and the West 12 feet of Lot Number 13 in said Addition to a point in the South line of said Lot Number 13; thence South 5 feet; thence west parallel with the South line of Lots Number 11, 12 and 13 in Charles Sherer's Riverside Addition a distance of 112 feet to a point due South of the point of beginning; thence North 5 feet to the place of beginning;

and

WHEREAS, this Council has determined that it will be in the best interests of the City of Fort Wayne to execute a deed for the sale of the above described parcel of real estate, on terms and conditions required by law and for a sum not less than the appraiser's evaluation thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Mayor of the City of Fort Wayne be, and he hereby is, authorized and directed, in the name of and for and in behalf of the City of Fort Wayne, to execute a deed to Mid-West Towel and Linen Service, Inc., for the parcel of real estate herein described, such deed to be in the form a Quit-Claim Deed and to be subject to the terms and conditions as shall be considered necessary or advisable in the best interests of the City of Fort Wayne. The signature of the Mayor on such instrument shall be attested by the City Clerk of the City of Fort Wayne and shall be accompanied by the Seal of said City.

SECTION 2. That the Judge of Allen County Circuit Court be, and he hereby is, requested to appoint three (3) disinterested freeholders of the City of Fort Wayne to appraise and determine the fair market value of the parcel of real estate hereinbefore described with a view to the execution of the deed authorized above.

SECTION 3. This Ordinance shall be and constitute sufficient authority for the Mayor and the City Clerk of the City of Fort Wayne to execute such a deed and to do all things incidental thereto or necessary therefor.

SECTION 4. This Ordinance is passed upon the same date and at the same meeting at which it is introduced and it is passsed by the unanimous consent of all the members of the Common Council present and there are present and voting

at least two-thirds of all the members elect of said Common Council.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-48-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

(Report of the Committee on Finance see page 1385)

BILL NO. S-72-06-03

SPECIAL ORDINANCE NO. S-49-72

AN ORDINANCE approving bid document Ref. No. 455 with INTERNATIONAL HARVESTER COMPANY and GENERAL TRUCK SALES for various trucks.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 455, approved May 4, 1972 between the City of Fort Wayne, by and through its Mayor, Board of Park Commissioners and Department of Purchases, and INTERNATIONAL HARVESTER COMPANY and GENERAL TRUCK SALES, for:

Item 1.	One 3/4 Ton Truck with Utility Body International Harvester	$2,894.14
Item 2.	Two 3/4 Ton Pickup Trucks - General Truck Sales	$4,830.00
Item 3.	One 1 Ton Dump Truck - General Truck Sales	$3,065.00
Item 4.	One 1 Ton Cab & Chassis - General Truck Sales	$2,650.00

all as more specifically set forth in said bid document Ref. No. 455 and Purchase Order No. 3-07867, Item 1 and Purchase Order No. 3-07868, Items 2, 3, and 4, which are on file in the office of the Department of Purchases and are by reference uncorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by D. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-49-72 on the 28th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

(Report of the Committee on Finance see page 1385)

BILL NO. S-72-06-04

SPECIAL ORDINANCE NO. S-50-72

AN ORDINANCE approving a contract between City of Fort Wayne, Indiana and National Loss Control Service Corporation under which said corporation is to provide certain Fire Protection Services.

WHEREAS, National Loss Control Service Corporation (hereinafter referred to as "NATLSCO") is a corporation engaged in the business of rendering professional fire protection engineering services, in the course of which business, it has provided muncipal fire protection services for a number of cities; and

WHEREAS, NATLSCO has submitted to the City of Fort Wayne, Indiana, its "Proposal for Fire Protection Study for the City of Fort Wayne, Indiana" dated April 26, 1972; and

WHEREAS, it would be the objective of such study to".....formulated a workable plan for restructuring, where necessary, the Fort Wayne Fire Department. This restructuring would include an evaluation of the number and locations of fire stations and fire companies, equipment complements, personnel levels and related operations in addition to other activities normally associated with a fire department. The level of fire protection with respect to fire insurance rates (grading classification) will be estimated and costs and savings will be computed."; and

WHEREAS, within the near future, the City of Fort Wayne, Indiana can expect to be studied by the fire insurance industry for the purpose of reviewing the City's rating classification for fire insurance purposes; and

WHEREAS, prior to the commencement of such study it is desirable that the City of Fort Wayne, Indiana be provided a current assessment of the fire protection situation existing in the City; and

WHEREAS, the City of Fort Wayne, Indiana is desirous of entering into a contract which would carry out the purposes of the aforesaid "Proposal for Fire Protection Study for the City of Fort Wayne, Indiana."

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Common Council of the City of Fort Wayne, Indiana hereby approves a certain contract between the City and NATLSCO under which NATLSCO will undertake and complete a fire protection study as outlined in its aforesaid "Proposal for Fire Protection Study for the City of Fort Wayne, Indiana"which study shall include the following:

1. Evaluation of Existing and Projected Future Land Use.

2. Evaluation of Required Fire Flows and Life Safety Demands.

3. Evaluation of Distribution of Fire Stations and Companies within the City.

4. Evaluation of Fire Department Manpower Needs.

5. Evaluation of Fire Department Training Program.

6. Evaluation of Apparatus Needs and the Purchasing and Maintenance Programs.

7. Evaluation of Fire Service Communication and Street Alarm System Needs.

8. Evaluation of Fire Prevention Bureau.

9. Review of City's Fire Insurance Rating Classification.

10. Improvement Program.

SECTION 2. That said contract be for an amount not to exceed $23,500.00, unless increased costs are authorized in advance by mutual written approval and are further approved in advance by the Common Council of the City of Fort Wayne, Indiana.

SECTION 3. That said contract shall contain among other things, provisions for equal employment opportunity and methods of payment.

SECTION 4. This Ordinance shall be in full force and effect upon its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Talarico and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Hinga, Kraus, Nuckols, Moses, V. Schmidt, Stier, Talarico
Nays: Two
Burns, D. Schmidt

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-50-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

(Report of the Committee on Finance see page 1385)

BILL NO. S-72-06-05

SPECIAL ORDINANCE NO. S-51-72

AN ORDINANCE approving Agreement to Purchase real estate from Pernella Tubbs.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreement to Purchase real estate, dated May 16, 1972, between the City of Fort Wayne, by and through its Mayor and Board of Public Works, and PERNELLA TUBBS, for the real estate described as follows, to-wit:

Lot 210 in Lewis Addition to the City of Fort Wayne, according to the recorded plat thereof (1801 S. Lafayette Street)

for the sum of $7,200.00, cash to be paid upon the delivery of a good and sufficient Warranty Deed for said real estate, all as more particularly set forth in said Agreement to Purchase, which is by referenceincorporated herein and made hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by D. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Burns

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-51-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

(Report of the Committee on Finance see 1386)

BILL NO. R-72-06-17

RESOLUTION NO. R-30-72

RESOLUTION authorizing transfer of funds within the 1972 Budget of the City Controller.

WHEREAS, it is necessary to establish a revolving fund to make operating cash available for Recreation Support Program; and

WHEREAS, the RSP Programs will be reimbursed by the Federal Government at the end of the program in August; and

WHEREAS, there are unexpended funds in Account # 2-2-263 Historical Landmark Preservation and Account # 2-2-264, Computer Services & Rental.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. The City Controller is hereby authorized to transfer the sum of $10,000.00 form the 1972 Budget Account No. 2-2-263, Historical Landmark Preservation to the Recreation Support Program, and $5,000.00 from the 1972 Budget Account No. 2-2-264 to the Recreation Support Program.

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. S-30-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-06-19

RESOLUTION NO. R-20-72

RESOLUTION authorizing payment for repairs to City-owned vehicle.

WHEREAS, Car #57 was damaged in an automobile accident May 23, 1972 at 2712 South Hanna Street; and

WHEREAS, settlement in the amount of $202.56 was made by Allstate Insurance Company, to the City Controller's Office, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick, Inc. has submitted an estimate in the amount of $202.56, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

1. That the City Controller is authorized to pay the sum of $202.56 to Jim Kelley Buick, Inc. for repairs to Car # 57.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-29-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-72-06-07

GENERAL ORDINANCE NO. G-11-72

AN ORDINANCE amending the Building Code with respect to Sanitary Plumbing and Electrical installations.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. All of Division 400 and Section 505 of Division 500 of Chapter 37 of the Municipal Code of the City of Fort Wayne, Indiana, 1946 as amended and recodified referred to as the Building Code is hereby amended by repealing all of said Division 400 and said Section 505 of Division 500 of the Building Code, and there is hereby substituted the following which are in lieu of the above Division, and Sections of said Building Code hereinabove repealed:

DIVISION 400 - ELECTRICAL INSTALLATIONS

404.1 There is hereby incorporated by reference and made a part of the Building Code of the City of Fort Wayne, Indiana all of the provisions of the National Electrical Code 1971 edition.

505 Quality and Weights of Materials

505.1 There is hereby incorporated by reference and made a part of the Building Code of the City of Fort Wayne, Indiana all of the provisions of Chapter III and Chapter IV of the National Standard Plumbing Code 1971 as suggested by the National Association of Plumbing - Heating - Cooling Contractors.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication as required by law.

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-11-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

(Report of the Committee on Regulations see page 1386)

BILL NO. S-72-05-09

SPECIAL ORDINANCE NO. S-52-72

AN ORDINANCE ordering a sidewalk on the south-side of Vance Avenue, in the City of Fort Wayne, Indiana, except where sidewalk is now in place.

WHEREAS, the Board of Public Works of the City of Fort Wayne adopted Sidewalk Improvement Resolution Nos. as follows:

Sidewalk Improvement Resolution No. 5610-1972 for the construction of sidewalk on the south side of Vance Avenue from the east curb line of Devon Drive to the west curb line of Kingsley Drive, except where sidewalk is now in place.

Sidewalk Improvement Resolution No. 5613-1972 to construct sidewalk on the southside of Vance Avenue from the east property line of Glencairn Drive to the west property line of Devon Drive, except where sidewalk is now in place to a width of five feet.

Sidewalk Improvement Resolution No. 5615-1972 to construct sidewalk on the south side of Vance Avenue from the east pavement line of Coliseum Boulevard North to the west curb line of Inwood Drive to a width of five feet.

Sidewalk Improvement Resolution No. 5616-1972 for the construction of the south side of Vance Avenue from the east curb line of Inwood Drive to the west property line of Glencairn Avenue to a width of five feet.

Sidewalk Improvement Resolution No. 5617-1972 to construct sidewalk on the north side of Vance Avenue from the east curb line of Inwood Drive to the west property line of Glencairn Drive to a width of five feet.

WHEREAS, within 10 days after the day named for hearing upon said Resolutions, a majority of the resident freeholders on said street remonstrated against said impervement; and

WHEREAS, on May 11, 1972, the Board of Public Works,upon consideration of such remonstrance, determined that in its opinion, a public need and necessity for said sidewalk exists for the safety of the children in the area so that they will not be compelled to walk and play in the street, and by its communication dated May 11, 1972, heretofore made a matter of record, communicated the foregoing to this body; and

WHEREAS, Section 107 of Chapter 129 of the Acts of 1905 of the State of Indiana amended, provides that in the event of such a remonstrance, the improvement shall not be made unless specifically ordered by an ordinance within 60 days thereafter, passed by two-thirds vote of the Council and approved by the Mayor.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the construction of the above-described sidewalk is hereby deemed to be of public need and necessity in order to provide for the safety of the children living and playing in said area.

SECTION 2. That notwithstanding any remonstrance filedagainst the same by the resident freeholders on said street, the construction of a sidewalk on the south side of Vance Avenue as above described, be and the same is hereby specifically ordered,and this Ordinance shall be and constitutes sufficient authority and direction to the Board of Public Works of the City of Fort Wayne in the premises to proceed in accordance with said resolution.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Stier and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six
Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico
Nays: Three
Burns, Moses, D. Schmidt

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-52-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

(Report of the Committee on Public Works see page 1386)

BILL NO. S-72-06-12

SPECIAL ORDINANCE NO. S-53-72

AN ORDINANCE approving contract with L.W. DAILEY, INC. for paving Bradwood Terrace.

BE IT ORDIANED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved May 6, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and L.W. DAILEY, INC., for:

Paving Bradwood Terrace from the east property line of Elwood Drive to the west property line of Reed Road

for a total cost of $42,609.70, of which the City will pay approximately 36%, all as more particularly set forth in said contract, which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-53-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

(Report of the Committee on Public Works see page 1387)

BILL NO. S-72-06-13

SPECIAL ORDINANCE NO. S-54-72

AN ORDINANCE approving contract with INTERNATIONAL HARVESTER for delivery of truck chassis for Water Pollution Control Plant.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved May 30, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and INTERNATIONAL HARVESTER, for:

International Harvester Truck Chassis-
Model F1800, 3900 GVW Tandem Axle.

for a total cost of $9,160.12, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 6151, which is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-54-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

(Report of the Committee on Public Works see page 1387)

BILL NO. S-72-06-15

SPECIAL ORDINANCE NO. S-56-72

AN ORDINANCE approving contract with HIPSKIND ASPHALT CORPORATION for Radcliffe Drive.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved May 24, 1972, between the City of Fort Wayne, by and through its Board of Public Works, and HIPSKIND ASPHALT CORPORATION, for:

Paving Radcliffe Drive from the south property line of Paulding Road to a point approximately 735 feet south thereof,

for a total cost of $23,994.40, of which the City will pay approximately 36%, all as more particularly set forth in said contract, which is on file in the

office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-56-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

(Report of the Committee on Public Works see page 1387)

SUPENSION OF RULES

Councilman, Winfield C. Moses, Jr. moved to suspend the rules on passage of BILL NO. S-72-06-26 at this meeting of June 27, 1972, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman, Paul Burns, and duly passed by unanimous vote of all legally elected members of the said Common Council. The above BILL and SPECIAL ORDINANCE was accordingly placed on its passage.

Charles W. Westerman
City Clerk

BILL NO. S-72-06-26

SPECIAL ORDINANCE NO. S-57-72

AN ORDINANCE approving Water Contract No. 7208 between RALPH L. SHIRMEYER, INC. and the FORT WAYNE WATER UTILITY for a watermain on Dunkelberg Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Water Contract No. 7208 dated April 27, 1972 between RALPH L. SHIRMEYER, INC., as Contributor, and the FORT WAYNE WATER UTILITY, by and through the Mayor and the Board of Public Works as Utility, for construction of water line on Dunkelberg Road from a point 835 feet west of the Winchester Road, thence westward a distance of 1760 ± feet to Hemphill Drive.

Total cost of said main is $32,224.00 of which the City shall pay $6,151.00; the Contributor shall pay $25,078.00, and the Utility expenses for furnishing for inspection, testing, etc. $995.00, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Burns and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-57-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-05-14

SPECIAL ORDINANCE NO. S-55-72

AN ORDINANCE approving Water Contract No. 7206 with JOHN DEHNER, INC. for the construction of the Canterbury Green Feeder Main.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Construction Contract for Water Contract No. 7206, approved May 18, 1972 between the City of Fort Wayne, by and through its Mayor and Board of Public Works, and JOHN DEHNER, INC., for

> Construction and installation and furnishing all necessary materials for the installation of 1,070± feet of twenty-four (24) inch and 120± feet of sixteen (16) inch ductile iron pipe to connect with the existing twelve (12) inch water main on St. Joseph Center Road to serve the proposed Canterbury Market,

for a total cost of $49,574.24, all to be paid by the City of Fort Wayne, as more particularly set forth on said contract which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-55-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

(Report of the Committee on City Utilities see page 1388)

BILL NO. G-72-05-31

GENERAL ORDINANCE NO. G-12-72

AN ORDINANCE amending Ordinance No. G-85-70 1) by abolishing thepresent Metropolitan Human Relations Commission thereby created; 2) by replacing said Commission with a smaller Commission whose members are more representative of diverse elements of the community; 3) by expanding the powers of said Commission; 4) by expanding the scope of the duties of said Commission; and 5) by making it unlawful to discriminate in education.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Article 1 of Ordinance No. G-85-70 is hereby amended to read as follows:

ARTICLE I - PURPOSES

Section 1. The Mayor and the Common Council of the City of Fort Wayne, Indiana, find that discrimination in social, cultural and economic life in the City of Fort Wayne against any person or persons because of race, sex, color, religion, ancestry, national origin, or place of birth, is contrary to American principles and is harmful to the social, cultural, and economic life of Fort Wayne: that discrimination, particularly in employment opportunities, public accommodations, and housing, increases the burden and cost of government. That such discrimination contributes to increased crime, vice, juvenile delinquency, fires and other evils thereby affecting the public safety, the public health, and the general welfare of the community; it is, therefore, deemed to be in the best interests of the City of Fort Wayne to create a metropolitan commission to adminster and enforce anti-discrimination legislation and ordinances, all as authorized by the Indiana Civil Rights Act.

Section 2. In filling such broad purposes, the Metropolitan Human Relations Commission of the City of Fort Wayne is to:

a) study the relationships between the various races, sexes, creeds and nationalities within the City of Fort Wayne and to advise and assist the various departments of the City of Fort Wayne in matters involving relationship between such groups to the end that prejudice, intolerance, bigotry, and discrimination will be eliminated in the City of Fort Wayne.

b) eliminate discrimination in education, employment, public accommodation, and housing based upon sex, race, religion, ancestry, national origin or place of birth.

c) study, investigate and take action in regard to any condition having an adverse effect upon relations between the various races, sexes, creeds and nationalities.

d) institute and conduct educational and other programs intended to promote the equal rights and opportunities of all persons.

e) solicit the cooperation of the various racial, ethnic, and religious groups within the community in order to improve the quality of communications and understanding within the community.

f) stimulate private and governmental departments and agencies to develop and foster meaningful programs in support of the objectives and purposes of the Metropolitan Human Relations Commission.

g) insure the equal protection of all persons and to insure the full availability of all rights and privileges of citizenship to all persons.

SECTION 2. Sections 2, 3, 4d and 5 of Article 3 of Ordinance No. G-85-70 are amended to read as follows:

Section 2.

a) The Commission shall consist of seven (7) members:

(i) one of whom shall be appointed by the Common Council from among its members at the annual meeting for the election of officers of the Council, and

(ii) six of whom shall be appointed by the Mayor.

b) The member appointed by the Common Council shall serve until the next annual meeting for the election of officers of the Council and members appointed by the Mayor shall serve, until December 31 of the second full year following the year of their appointment.

Section 3 - Qualifications of Members

a) All members shall be residents of the City of Fort Wayne, The Mayor shall make only those appointments which insure:

(i) that members are persons who have demonstrated a commitment to the purposes for which the Commission is created and

(ii) that the Commission is broadly representative of the community in regard to race, religion, national origin, sex, and political affiliation.

b) It shall be the duty of the Mayorpublicly to solicit suggestions for Commission appointments from organizations having an interest in the improvement of intergroup relations in the community and to give thoughtfulconsideration to the appointment of persons so suggested.

Section 4 (d). The Mayor shall, at any time, have the right to remove any member of the Commission (other than the member appointed by the Common Council) with or without cause.

Section 5 - Powers and Duties. The Commission shall have the following powers and duties:

a) All powers that may lawfully be conferred upon the Commission pursuant to applicable provisions of Indiana law (IC-1971 22-9-12) including, specifically, the power to investigate, conciliate, and hear complaints, subpoena and compel the attendance of witnesses and the production of pertinent documents and records, administer oaths, examine witnesses, appoint a hearing examiner or panel, make findings and recommendations, issue cease and desist orders requiring remedial action, institute actions for appropriate legal or equitable relief in the circuit or superior court.

b) The Commission shall meet monthly in a public facility beginning an hour not earlier than 7:00 P.M. nor later than 10:00 P.M. It shall be the duty of the Executive Director of the Commission to notify the news media concerning such meetings not less than 72 hours prior to the time of such meetings. All meetings of the Commission shall be open to the public.

c) The Commission shall receive and investigate charges of discriminatory practices and, if it appears that reasonable groundsexist for the charges, the Commission shall accept a complaint or the director may make a complaint, which complaint shall be in writing and verified. If a complaint has been made, the Commission may hold hearings and make an investigationof the complaint, which investigation shall be conducted by the Commission or by the director of its staff.

d) The Commission shall endeavor to keep itself fully informed concerning the studies and findings of privateorganizations in respect to the practices falling within the Commission's jurisdiction.

e) Annual Report. The Commission shall render an annual report of its doings to the Mayor and to the Common Council and shall render such other additional reports as the Mayor or the Council may from time to time request. The reports shall describe, in detail, the investigations and conciliation proceedings it has conducted and their outcome, the progress made, and any other work performed and achievement toward the elimination of discrimination.

SECTION 3. Article 4 of Ordinance No. G-85-70 is hereby amended by adding a new Section 7 which reads as follows:

Section 7. Discrimination in Education. It shall be unlawful for any person, establishment or governmental agency regularly engaged in the offering

of educational services to discriminateagainst any one because of race, sex, color, or national origin except that an educational facility operated by or affiliated with a religious organization may discriminate on the basis of religious affiliation.

James Stier
Councilman

Read the third time in full and on motion by Stier seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nayes: One
Burns

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-12-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Mr. President,

I move for reconsideration of BILL NO. G-72-05-31 at the next regular meeting of the Common Council

Donald Schmidt
Councilman

(Report of the Committee on Administration and State Legislation see page 1388)

BILL NO. G-72-04-20

REPORT OF THE COMMITTEE ON PUBLIC RELATION

We, your Committee on Public Relations to whom was referred an Ordinance repealing Chapter 19, Section 14.1 of the City of Fort Wayne, have had said Ordinance under consideration and beg leave to report back to the Common Council the said Ordinance BE WITHDRAWN.

Samuel J. Talarico- Chairman
Winfield C. Moses, Jr. - Vice-Chairman
Eugene Kraus, Jr.
Vivian G. Schmidt
James S. Stier

Donald J. Schmidt
William T. Hinga
Paul "Mike" Burns
John Nuckols

Concurred in 6-27-72

Charles W. Westerman
City Clerk

BILL NO. S-72-06-02

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance authorizing the execution of a deed to Mid-west Towel and Linen Service, Inc. for certain real estate owned by the City of Fort Wayne, Indiana have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

William T. Hinga - Chairman
Winfield Moses, Jr.
James S. Stier
Samuel J. Talarico
Paul"Mike" Burns

Concurred in 6-27-72

Charles W. Westerman
City Clerk

BILL NO. S-72-06-03

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance approving bid document Ref. No. 455 with International Harvester Company and General Truck Sales for various trucks have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

William T. Hinga
Winfield Moses, Jr.
James S. Stier
Samuel J. Talarico
Paul "Mike" Burns

Concurred in 6-27-72

Charles W. Westerman
City Clerk

BILL NO. S-72-06-04

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance approving a contract between City of Fort Wayne, Indiana and National Loss Control Service Corporation under which said corporation is to provide certain Fire Protection Services, have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

William T. Hinga
Winfield Moses, Jr.
James S. Stier
Samuel J. Talarico

Concurred in 6-27-72

Charles W. Westerman
City Clerk

BILL NO. S-72-06-05

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance approving Agreement to Purchase real estate from Pernella Tubbs, have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

William T. Hinga
Winfield Moses, Jr.
James S. Stier
Samuel J. Talarico
Paul "Mike" Burns

Concurred in 6-27-72

Charles W. Westerman
City Clerk

BILL NO. G-72-06-07

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the Building Code with respect to Sanitary Plumbing and Electrial Installations have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

Eugene Kraus, Jr.
James S. Stier
William T. Hinga
Paul "Mike" Burns
Vivian G. Schmidt

Concurred in 6-27-72

Charles W. Westerman
City Clerk

BILL NO. S-72-05-09

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whomwas referred an Ordinance ordering a sidewalk on the southside of Vance Avenue, in the City of Fort Wayne, Indiana except where sidewalk is now in place, have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

William T.Hinga
Samuel J. Talarico
Eugene Kraus, Jr.

Concurred in 6-27-72

Charles W. Westerman
City Clerk

BILL NO. S-72-06-12

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance approving contract with L.W. DAILEY, INC. for paving Bradwood Terrace, have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

Winfield C. Moses, Jr.
William T. Hinga
Samuel J. Talarico
Eugene Kraus, Jr.
Donald J. Schmidt

Concurred in 6-27-72

Charles W. Westerman
City Clerk

BILL NO. S-72-06-13

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance approving contract with INTERNATIONAL HARVESTER for delivery of truck chassis for Water Pollution Control Plant have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

Winfield C. Moses, Jr.
William T. Hinga
Samuel J. Talarico
Eugene Kraus, Jr.
Donald J. Schmidt

Concurred in 6-27-72

Charles W.Westerman
City Clerk

BILL NO. S-72-06-15

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance approving contract with HIPSKIND ASPHALT CORPORATION for Radcliffe Drive have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

Winfield C. Moses, Jr.
William T. Hinga
Samuel J. Talarico
Eugene Kraus, J .
Donald J. Schmidt

Concurred in 6-27-72

Charles W. Westerman
City Clerk

BILL NO. S-72-05-14

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance approving Water Contract No. 7206 with JOHN DEHNER, INC. for the construction of the Canterbury Green Feeder Main have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

Paul "Mike" Burns
Eugene Kraus, Jr.
Donald J. Schmidt
William T. Hinga
Winfield C. Moses, Jr.

Concurred in 6-27-72

Charles W. Westerman
City Clerk

BILL NO. G-72-05-31

REPORT OF THE COMMITTEE ON ADMINISTRATION AND STATE LEGISLATION

We, your Committee on Administration and State Legislation to whom was referred an Ordinance amending Ordinance No. G-85-70-1) by abolishing the present Metropolitan Human Relations Commission thereby created; 2) by replacing said Commission with a smaller Commission whose members are more representative of diverse elements of the community; 3) by expanding the powers of said Commission; 4) by expanding the scope of th duties of said Commission; and 5) by making it unlawful to discriminate in education have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

James S. Stier
Vivian G. Schmidt
Winfield Moses, Jr.
Eugene Kraus, Jr.

Concurred in 6-27-72

Charles W. Westerman
City Clerk

The Council then adjourned

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council

of the City of Fort Wayne, Indiana for the Regular Session, held on Tuesday the 27th day of June, 1972; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 27th day of June, 1972.

Charles W. Westerman
City Clerk

Minutes approved and signed in open Council this 11th day of July, 1972.

City Clerk

Presiding Officer

SEAL